

TELEFAX COVER SHEET

MOSER, PATTERSON & SHERIDAN, LLP
ATTORNEYS AT LAW
595 SHREWSBURY AVENUE
FIRST FLOOR
SHREWSBURY, NJ 07702
TELEPHONE (732) 530-9404
TELEFAX (732) 530-9808

RECEIVED
CENTRAL FAX CENTER
FEB 17 2005

THIS TELEFAX MESSAGE IS ADDRESSED TO THE PERSON OR COMPANY LISTED BELOW.
IF IT WAS SENT OR RECEIVED INCORRECTLY, OR YOU ARE NOT THE INTENDED
RECIPIENT, PLEASE TAKE NOTICE THAT THIS MESSAGE MAY CONTAIN PRIVILEGED OR
CONFIDENTIAL MATERIAL, AND YOUR DUE REGARD FOR THIS INFORMATION IS
NECESSARY. YOU MAY ARRANGE TO RETURN THIS MATERIAL BY CALLING THE FIRM
LISTED ABOVE AT (732) 530-9404

THIS MESSAGE HAS 7 PAGES INCLUDING THIS SHEET

TO: Commissioner of Patents
FAX NO.: 703-872-9306
FROM: Steven M. Hertzberg
DATE: February 17, 2005
MATTER: Serial No. 09/770,135 Filed: 01/26/2001
DOCKET NO.: Baldwin 4-2-53-5
APPLICANT: Michael Scott Baldwin

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

| | |
|--|--|
| <input type="checkbox"/> Petition | <input checked="" type="checkbox"/> Transmittal Letter (2 copies) |
| <input type="checkbox"/> Disclosure Statement & PTO-1449 | <input type="checkbox"/> Fee Transmittal (2 copies) |
| <input type="checkbox"/> Priority Document | <input type="checkbox"/> Deposit Account Transaction |
| <input type="checkbox"/> Drawings (<u> </u> sheets) informal | <input checked="" type="checkbox"/> Facsimile Transmission Certificate |
| <input checked="" type="checkbox"/> Response Under 35 CFR 1.116 | dated <u>February 17, 2005</u> |
| <input type="checkbox"/> _____ | _____ |
| <input type="checkbox"/> _____ | _____ |

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being transmitted by facsimile to the
Commissioner for Patents, Washington, DC 20231 on February 17, 2005,
Facsimile No. 703-872-9306.

Linda LaForge
Name of person signing this certificate

Linda LaForge 2/17/05
Signature and date

PTO/SB/21 (09-04)

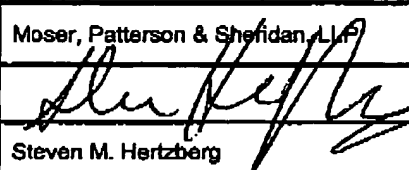
Approved for use through 07/31/2006. OMB 0651-0031

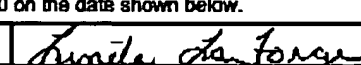
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | | |
|---|--|------------------------|-----------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | | Application Number | 09/770,135 |
| | | Filing Date | January 26, 2001 |
| | | First Named Inventor | Michael Scott Baldwin |
| | | Art Unit | 2142 |
| | | Examiner Name | Michael D. Meucci |
| Total Number of Pages in This Submission | | Attorney Docket Number | Baldwin 4-2-53-5 |

| ENCLOSURES (check all that apply) | | |
|--|--|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile Transmission Sheet |
| Remarks It is believed no fee is due. However, in the event a fee is due, kindly charge that fee to deposit account number 20-0782. To facilitate that charge, a duplicate copy of this letter is enclosed. | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|---|----------|--------|
| Firm | Moser, Patterson & Sheridan, LLP | | |
| Signature |  | | |
| Printed Name | Steven M. Hertzberg | | |
| Date | February 17, 2005 | Reg. No. | 41,834 |

| CERTIFICATE OF TRANSMISSION/MAILING | | | |
|---|---|------|-------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | | |
| Signature |  | | |
| Typed or printed name | Linda LaForge | Date | February 17, 2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Page 1 of 17

Atty. Dkt. No. BALDWIN 4-2-63-5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE RECEIVED
CENTRAL FAX CENTER

In re Application of:
Baldwin 4-2-53-5

Serial No.: 09/770.135

Confirmation No.: 7086

Filed: January 26, 2001

For: Really Simple Mail Transport Protocol

Group Art Unit: 2142

Examiner: Michael D. Meucci

**MAIL STOP Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Dear Sir:

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or being facsimile transmitted to the USPTO, on the date indicated below.

February 17, 2005

Date: _____

Arde la Torre

RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. § 1.111

In response to the Office Action dated November 17, 2004, having a shortened statutory period for response set to expire on February 17, 2005, please enter this response and reconsider the claims pending in the application for reasons discussed below. Although Applicants believe that no additional fees are due in connection with this response, the Commissioner is hereby authorized to charge counsel's Deposit Account No. 20-0782/BALDWIN4, for any fees, including extension of time fees or excess claim fees, required to make this response timely and acceptable to the Office.